

SERVICE DATE - MAY 22, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41995

WISCONSIN CENTRAL LTD.—PETITION FOR DECLARATORY ORDER—CERTAIN
RATES AND PRACTICES OF THE BALTIMORE & OHIO CHICAGO TERMINAL
RAILROAD COMPANY AND CSX TRANSPORTATION, INC.

Decided: May 20, 1997

On April 7, 1997, Wisconsin Central Ltd. (WCL) filed a petition requesting that the Board institute a declaratory order proceeding to determine the reasonableness of charges assessed by The Baltimore & Ohio Chicago Terminal Railroad Company (BOCT) for intermediate switching services performed by BOCT for WCL in the Chicago Terminal District.¹ In a joint response filed April 28, 1997, BOCT and CSX Transportation, Inc. (CSXT), BOCT's corporate parent, seek dismissal of WCL's petition.²

In a letter filed May 19, 1997, WCL requests a 7-day extension to reply to the opposition of BOCT/CSXT. WCL alleges that service by mail of BOCT/CSXT's opposition was delayed and that BOCT/CSXT have been notified of the extension request and do not object. Under the circumstances, the short extension requested is reasonable and will be granted.

It is ordered:

1. The reply of Petitioner WCL is due May 27, 1997.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ This matter is before the Board on referral from the United States District Court for the Northern District of Illinois. *See The Baltimore and Ohio Chicago Terminal Railroad Company v. Wisconsin Central Ltd.*, 93 C 3519 (N.D. Ill. Jan. 29, 1997) (memorandum opinion and order), clarified (Feb. 26, 1997) (minute order).

² CSXT is also a defendant here and, along with BOCT, a counter-defendant in the district court proceeding. WCL's petition, which also includes an allegation of discrimination, arises from its counterclaim against BOCT and CSXT in the district court proceeding.